

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L.  
Madoff Investment Securities LLC and Bernard L.  
Madoff,

Plaintiff,

v.

DEFENDANTS IN ADVERSARY  
PROCEEDINGS LISTED ON EXHIBIT A,<sup>1</sup>

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. Nos. listed on Exhibit A  
annexed to the Trustee's Motion

**DECLARATION OF DAVID J. SHEEHAN IN SUPPORT OF THE REPLY  
MEMORANDUM IN FURTHER SUPPORT OF TRUSTEE'S MOTION  
FOR LIMITED ADDITIONAL DISCOVERY BASED ON PRIOR  
ORDERS AUTHORIZING DEPOSITION OF BERNARD L. MADOFF**

I, David J. Sheehan, declare the following:

1. I am a Partner with the law firm Baker Hostetler LLP, counsel to Irving Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”). I submit this declaration in

<sup>1</sup> See Exhibit A, Schedule of Remaining Good Faith Actions, annexed to the Trustee's Motion.

support of the Reply Memorandum in Further Support of the Trustee's Motion for Limited Additional Discovery Based on Prior Orders Authorizing Deposition of Bernard L. Madoff.

2. Attached hereto as **Exhibit 1** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated November 9, 2017.
3. Attached hereto as **Exhibit 2** is the Trustee's Letter Regarding Chaitman Adversary Proceedings dated October 31, 2017.
4. Attached hereto as **Exhibit 3** is a copy of an email exchange between Chaitman and Trustee's Counsel, dated August 9, 2017.
5. Attached hereto as **Exhibit 4** are excerpts from the deposition transcript of Mr. Bernard L. Madoff dated November 8, 2017.
6. Attached hereto as **Exhibit 5** is a copy of email correspondence from A. Kratenstein to Trustee's Counsel, dated July 5, 2018.

Dated: October 24, 2018  
New York, New York

Respectfully submitted,  
/s/ David J. Sheehan  
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*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L.  
Madoff*